

SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 18, 2008

Senate Chamber

President Risch called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Pearce, absent and formally excused by the Chair; and Senators Cameron, Coiner, Little, Lodge, and McKague, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Austin Porter, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 17, 2008, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator McKague was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 113

BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF
THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO
THE CONGRESSIONAL DELEGATION REPRESENTING THE
STATE OF IDAHO IN THE CONGRESS OF THE UNITED
STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Fifty-ninth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, we strongly object to any treaty or agreement, which threatens to violate national security, private property, United States commerce, constitutional rights and American sovereignty while emphasizing our commitment to the Pacific Northwest Economic Region (PNWER) and other cooperative nations working for mutually beneficial goals; and

WHEREAS, the unique form of freedom and free enterprise system enjoyed by Americans, provided for in the United States Constitution and Declaration of Independence, is now being threatened by the North American Free Trade Agreement (NAFTA) between the United States and foreign countries; and

WHEREAS, Article 2205 of NAFTA allows for the withdrawal of the United States from the agreement and provides that "(a) A party may withdraw from this Agreement six months after it provides written notice of withdrawal to the other Parties. If a Party withdraws, the Agreement shall remain in force for the remaining Parties"; and

WHEREAS, by 2002, which was the last year United States government agencies tracked NAFTA specific job losses, over 1.5 million American jobs were verified as lost due to NAFTA, with the majority from the high wage manufacturing sector; and

WHEREAS, NAFTA-related trade imbalances have grown from an imbalance in 2002 of \$85 billion to a trade deficit of nearly \$139 billion with Mexico and Canada in 2007 pursuant to foreign trade statistics of the U.S. Census Bureau; and

WHEREAS, NAFTA has reduced the value of the dollar, harmed the U.S. economy, local communities and American families, undermined the free enterprise system in the United States, and resulted in a lack of parity regarding laws and regulations related to the environment and labor, as well as other laws and regulations placing America at a disadvantage; and

WHEREAS, the volume of imports from Mexico and Canada has soared since NAFTA, straining security checks at the U.S. border and threatening the economic and physical security of the United States with the potential loss of control of its borders; and

WHEREAS, future unrestricted foreign trucking allowed by NAFTA into the United States has the potential of posing a safety hazard to the American people due to inadequate maintenance and inspection, lack of background checks for violations in Mexico, lack of drug and alcohol testing, lack of enforcement of size and weight requirements and lack of national security procedures which undermine the very charge given to the U.S. Department of Homeland Security to defend our borders against threats; and

WHEREAS, NAFTA has resulted in spiraling deficits with Mexico and Canada, unfair agricultural trade, job loss, wage reductions and an erosion in standards of living, an erosion of the United States manufacturing base, an increase in health and environmental hazards, and an increase in the flow of illegal drugs and controlled substances into the country due to inadequate inspection practices; and

WHEREAS, continued participation in NAFTA should be conditioned on the renegotiation of the terms of NAFTA by the President of the United States to correct trade deficits, currency distortions and agricultural provisions. Continued participation should also be conditioned on certification to Congress by the President that the Government of Mexico is elected in free and fair elections, provides a fair, impartial and transparent justice system, and protects the rights of its citizens to organize into political parties, to have free speech and free media, and to assemble and organize associations to advance human rights and economic opportunities; and

WHEREAS, continued participation should also be conditioned on certification of gains in United States jobs and living standards by the U.S. Secretary of Labor, certification of increased domestic manufacturing by the U.S. Secretary of Commerce, certification by the U.S. Secretary of Agriculture that there has been a reduced incidence of contaminated and adulterated food, certification by the U.S. Administrator of the Environmental Protection Agency that conditions affecting public health in the United States - Mexico border zone have not worsened since January 1, 1994, and certification by the Attorney General of the United States that increased imports from NAFTA parties are not resulting in an increase in crime involving illegal drugs or other controlled substances; and

WHEREAS, unless the conditions for continued participation are met, congressional approval of NAFTA should cease to be effective and the President of the United States should provide written notice of withdrawal to the Governments of Mexico and Canada in accordance with Article 2205 of NAFTA.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we emphatically urge and petition the Congress of the United States and particularly the congressional delegation representing the State of Idaho to require that specified conditions for the continued participation in NAFTA be enacted and that, should conditions for continued participation fail to be met, congressional approval of NAFTA should cease to be effective and the President of the United States should provide written notice of withdrawal to the Governments of Mexico and Canada in accordance with Article 2205 of NAFTA.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 114

BY JUDICIARY AND RULES COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, TO MEMBERS OF THE UNITED STATES SENATE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS AND TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES COMMITTEE ON FINANCIAL SERVICES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Fifty-ninth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, regulation, oversight and consumer protection have traditionally and historically been powers reserved to state governments under the McCarran-Ferguson Act of 1945; and

WHEREAS, state legislatures are more responsive to the needs of their constituents and the need for insurance products and regulation to meet their state's unique market demands; and

WHEREAS, many states, including Idaho, have recently enacted and amended state insurance laws to modernize market regulation and provide insurers with greater ability to respond to changes in market conditions; and

WHEREAS, state legislatures, the National Conference of Insurance Legislators (NCOIL), the National Association of Insurance Commissioners (NAIC), and the National Conference of State Legislatures (NCSL) continue to address uniformity issues among states by the adoption of model laws that address market conduct, product approval, agent and company licensing and rate deregulation; and

WHEREAS, initiatives are being contemplated by certain members of the United States Congress that have the potential to destroy the state system of insurance regulation and create an unwieldy and inaccessible federal bureaucracy, all without consumer and constituent demand; and

WHEREAS, such initiatives include S.40/H.R.3200, the National Insurance Act of 2007, which is proposed optional federal charter legislation that would bifurcate insurance regulation and result in a quagmire of federal and state directives that would promote ambiguity and confusion; and

WHEREAS, S.40/H.R.3200 would allow companies to opt out of state insurance regulatory oversight and evade important state consumer protections; and

WHEREAS, the mechanism set up under S.40/H.R.3200 does not, and cannot by its very nature, respond as state regulation does, to states' individual and unique insurance markets and constituent concerns; and

WHEREAS, S.40/H.R.3200 has the potential to compromise state guaranty fund coverage, and employers could end up absorbing losses otherwise covered by these safety nets for businesses affected by insolvencies; and

WHEREAS, S.40/H.R.3200 would ultimately impose the costs of a new and needless federal bureaucracy upon businesses and the public; and

WHEREAS, many state governments derive general revenue dollars from the regulation of the business of insurance, including over \$14 billion in premium taxes generated in 2006, of which the state of Idaho generated over \$80 million; and

WHEREAS, S.40/H.R.3200 does not fully guarantee state premium tax revenues for a long-term period of time and has the potential to draw premium tax revenue from the states.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature joins the National Conference of Insurance Legislators in expressing its strong opposition to S.40/H.R.3200 and any other such federal legislation that would threaten the power of state legislatures, governors, insurance commissioners and attorneys general to oversee, regulate and investigate the business of insurance and to protect consumers.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Idaho in the Congress of the United States, to members of the United States Senate Committee on Banking, Housing and Urban Affairs, and the United States House of Representatives Committee on Financial Services.

SJM 113 and **SJM 114** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Cameron and Coiner were recorded present at this order of business.

March 18, 2008

The JUDICIARY AND RULES Committee reports that **S 1505**, **S 1506**, **S 1507**, **S 1508**, **SCR 138**, and **SCR 139** have been correctly printed.

DARRINGTON, Chairman

S 1505 and **S 1508** were referred to the Finance Committee.

S 1506 and **S 1507** were referred to the State Affairs Committee.

SCR 138 and **SCR 139** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 17, 2008

The JUDICIARY AND RULES Committee reports that **S 1348**, **S 1467**, **S 1468**, **S 1469**, **S 1471**, **S 1473**, **S 1474**, **S 1475**, and **S 1476** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1348**, **S 1467**, **S 1468**, **S 1469**, **S 1471**, **S 1473**, **S 1474**, **S 1475**, and **S 1476**, and ordered them transmitted to the House for the signature of the Speaker.

March 18, 2008

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 514**, **H 566**, and **H 491** have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 17, 2008

The JUDICIARY AND RULES Committee reports that Enrolled **S 1252**, as amended, **S 1324**, as amended, **S 1380**, as amended, **S 1384**, **S 1385**, **S 1397**, as amended, **S 1414**, as amended, **S 1415**, as amended, **S 1419**, **S 1434**, **S 1462**, **S 1463**, and **S 1464** were delivered to the Office of the Governor at 12:05 p.m., March 17, 2008.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 17, 2008

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 129**, **SCR 131**, and **SCR 133** were delivered to the Office of the Secretary of State at 12:10 p.m. on March 17, 2008.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 17, 2008

The JUDICIARY AND RULES Committee reports out **H 541**, as amended, with the recommendation that it do pass.

DARRINGTON, Chairman

H 541 was filed for second reading.

March 18, 2008

The FINANCE Committee reports out **S 1505** and **S 1508** with the recommendation that they do pass.

CAMERON, Chairman

S 1505 and **S 1508** were filed for second reading.

March 18, 2008

The FINANCE Committee reports out **H 627**, **H 635**, and **H 636** with the recommendation that they do pass.

CAMERON, Chairman

H 627, **H 635**, and **H 636** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 17, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1251, **S 1253**, **S 1257**, **S 1325**, **S 1331**, **S 1344**, as amended, **S 1352**, **S 1354**, **S 1359**, **S 1362**, **S 1371**, **S 1387**, **S 1388**, **S 1389**, **S 1390**, **S 1403**, as amended, **S 1410**, **S 1418**, **S 1428**, **S 1429**, **S 1439**, **S 1445**, **S 1451**, **S 1452**, **S 1454**, **S 1456**, **S 1457**, and **S 1459**

As Always - Idaho, 'Esto Perpetua'
/s/ C. L. 'Butch' Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 17, 2008

Mr. President:

I transmit herewith Enrolled **H 398, H 405, H 407, H 411, H 412, H 415, H 426, H 433, H 441, H 442, H 472, H 474, H 501, H 546, H 547, H 553, H 554, H 569, H 575, H 587, H 590, H 595, H 596, H 597, H 598, H 600, and HCR 49** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 398, H 405, H 407, H 411, H 412, H 415, H 426, H 433, H 441, H 442, H 472, H 474, H 501, H 546, H 547, H 553, H 554, H 569, H 575, H 587, H 590, H 595, H 596, H 597, H 598, H 600, and HCR 49** and ordered them returned to the House.

March 17, 2008

Mr. President:

I return herewith Enrolled **S 1335, S 1340, S 1341, S 1363, S 1377, S 1405, S 1407, S 1431, as amended, S 1440, S 1442, S 1466, and SCR 130**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1335, S 1340, S 1341, S 1363, S 1377, S 1405, S 1407, S 1431, as amended, S 1440, S 1442, and S 1466** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 130** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of the State.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1509

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO TRANSPORTATION BOARD; AMENDING SECTION 40-107, IDAHO CODE, TO DEFINE THE TERM "FULL BUILD OUT" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-121, IDAHO CODE, TO DEFINE THE TERM "TRANSPORTATION ACCESS PLAN" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 40-310, IDAHO CODE, TO AUTHORIZE THE IDAHO TRANSPORTATION BOARD TO ENTER INTO A TRANSPORTATION ACCESS

PLAN WITH LOCAL UNITS OF GOVERNMENT AND TO PROVIDE THE TERMS AND CONDITIONS OF A TRANSPORTATION ACCESS PLAN.

S 1510

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TELECOMMUNICATIONS; AMENDING CHAPTER 6, TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 62-618A, IDAHO CODE, TO PROVIDE FOR RESERVATION OF VIDEO SERVICE REGULATION TO THE STATE AND TO DEFINE A TERM.

S 1511

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; TO PROVIDE LEGISLATIVE FINDINGS REGARDING WATER PROJECTS; APPROPRIATING AND DIRECTING THE TRANSFER OF GENERAL FUND MONEYS TO THE IDAHO WATER RESOURCE REVOLVING DEVELOPMENT FUND FOR FISCAL YEAR 2009; APPROPRIATING AND DIRECTING THE TRANSFER OF GENERAL FUND MONEYS TO THE IDAHO WATER RESOURCE BOARD REVOLVING DEVELOPMENT FUND FOR FISCAL YEAR 2008; AND DECLARING AN EMERGENCY FOR SECTION 3 OF THIS ACT.

S 1509, S 1510, and S 1511 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 514, as amended in the Senate, by Resources and Conservation Committee, was read the first time at length and filed for second reading.

H 566, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

H 491, as amended in the Senate, by Business Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Little was recorded present at this order of business.

H 621, H 622, H 625, H 626, H 628, and H 629, by Appropriations Committee, were read the second time at length and filed for third reading.

H 586, by Ways and Means Committee, was read the second time at length and filed for third reading.

S 1484, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1404, as amended, by Education Committee, was read the second time at length and filed for third reading.

Senator Schroeder requested unanimous consent that S

1447, as amended, be laid upon the table. Senator Davis objected.

S 1447, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Lodge was recorded present at this order of business.

H 548, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the President declared **H 548** passed, title was approved, and the bill ordered returned to the House.

President Risch called President Pro Tempore Geddes to the Chair.

H 400 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 400** passed, title was approved, and the bill ordered returned to the House.

H 608 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 608** passed, title was approved as corrected, and the bill ordered returned to the House.

H 609 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 609** passed, title was approved, and the bill ordered returned to the House.

H 610 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 610** passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

H 611 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bastian arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Siddoway, Stegner, Werk. Total - 30.

NAYS--Langhorst, Schroeder, Stennett. Total - 3.

Absent and excused--Fulcher, Pearce. Total - 2.

Total - 35.

Whereupon the President declared **H 611** passed, title was approved, and the bill ordered returned to the House.

The President called Senator Cameron to the Chair.

H 613 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 613** passed, title was approved, and the bill ordered returned to the House.

H 614 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 614** passed, title was approved, and the bill ordered returned to the House.

S 1339, as amended, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kelly arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1339**, as amended, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

S 1370, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1370**, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

H 476 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 476** passed, title was approved, and the bill ordered returned to the House.

H 480 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 480** passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

H 543, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Goedde, Bastian, Jorgenson, and Acting Senator Sagness arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--Pearce. Total - 1.

Total - 35.

Whereupon the President declared **H 543**, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11 a.m. until the hour of 9:30 a.m., Wednesday, March 19, 2008.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary